

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

IN RE: CAPITAL ONE CONSUMER DATA
SECURITY BREACH LITIGATION

MDL No. 1:19md2915 (AJT/JFA)

This Document Relates to the Consumer Cases

ORDER

Plaintiffs submitted their Motion to Compel Discovery Regarding Capital One's Statute of Limitations and Terms & Conditions Defenses, dated October 29, 2021. For the reasons stated in their Motion and accompanying Memorandum, it is ORDERED that the Plaintiffs' Motion is GRANTED and Capital One Defendants are compelled to provide: (1) a corporate representative deposition regarding the data migration and statute of limitations issues, (2) discovery identifying when each class member provided their stolen PII to Capital One, (3) discovery identifying when Capital One migrated each individual class member's stolen PII to the cloud, and (4) discovery demonstrating the factual inquiries relevant to enforcement of the website Terms & Conditions, including stored or cached versions of the website during the relevant time periods.

Dated: _____, 2021
Alexandria, Virginia

Hon. John F. Anderson
United States Magistrate Judge